

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

BRAD PACKER, derivatively on behalf of
1-800-FLOWERS.COM, INC.,

Plaintiff,

– against –

RAGING CAPITAL MANAGEMENT,
LLC, RAGING CAPITAL MASTER
FUND, LTD, WILLIAM C. MARTIN and
1-800-FLOWERS.COM, INC.,

Defendants.

Case No. 2:15-cv-05933-JMW

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that Plaintiff Brad Packer, derivatively on behalf of 1-800-Flowers.com, Inc., hereby appeals to the United States Court of Appeals for the Second Circuit from the Judgment (Docket No.116) entered March 13, 2023, and the Opinion and Order (Docket No. 115) entered March 13, 2023, granting Defendants' motion to dismiss the action for lack of standing under Article III of the United States Constitution.

Dated: New York, New York
March 14, 2023

/s/ Glenn F. Ostrager

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